# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

IN RE:	<b>§</b>	CASE NO. 08-32384-H1-11
Work Zone Products, Inc	§	
	§	
Debtor	<b>§</b>	CHAPTER 11
	§	

#### NOTICE OF PLAN DEFAULT

**COMES NOW HARRIS COUNTY, et al** (the "Taxing Authority") secured creditor in the abovenumbered and styled bankruptcy case, and files this **Notice of Plan Default**, and in support thereof would show the Court as follows:

- 1. The Debtor defaulted under the terms of the Debtor's Second Amended Plan of Reorganization (Dated 12/17/08) by failing to pay the claim filed on behalf of Harris County, et al in the amount of \$21,587.51.
- 2. Notices of Default were mailed via Certified Mail Receipt (Article No. 9171900277001005154289 and Article No. 9171900277001005154296) on January 7, 2010 to the debtor and attorney. A copy of the Debtor's Second Amended Plan Reorganization, Notices of Default, and an Amortization Schedule are attached hereto as Exhibit 1, Exhibit 2, and Exhibit 3. As of this date, the Debtor has failed to cure the default.
- 3. Harris County, et al intends to exercise their full rights pursuant to state law without further notice and files this **Notice of Plan Default.**

Date: February 16, 2010

Respectfully submitted,

LINEBARGER GOGGAN BLAIR & SAMPSON, LLP

/s/John P. Dillman JOHN P. DILLMAN Texas State Bar No. 05874400 TARA L. GRUNDEMEIER Texas State Bar No. 24036691 Post Office Box 3064 Houston, Texas 77253-3064 (713) 844-3478 Phone (713) 844-3503 Fax

Counsel for Harris County, et al

#### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing **Notice of Plan Default** was served via electronic means, unless not available, otherwise by regular United States Mail, first class, postage fully prepaid, on <u>February 16, 2010</u> to the parties listed below and per court's mailing matrix as attached.

Debtor

Work Zone Products, Inc. 6358 Pinemont Drive Houston, Texas 77092

Attorney for Debtor
Peter Johnson
2820 Aim Investments Tower
Houston, Texas 77046

Office of the United States Trustee US Trustee 515 Rusk Avenue, Ste. 3516 Houston, Texas 77002 Respectfully submitted,

Linebarger Goggan Blair & Sampson, LLP

<u>/s/ John P. Dillman</u> JOHN P. DILLMAN

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Label Matrix for local noticing 0541-4 Case 08-32384 Southern District of Texas Houston Tue Feb 16 12:41:40 CST 2010

Caterpillar Financial Services Corporation c/o John Mayer Ross, Banks, May, Cron & Cavin, P.C. 2 Riverway #700 Houston, TX 77056-1918

Sterling Bank c/o Ted L. Walker 402 Main @Preston, Penthouse Houston, TX 77002

Triple 0 Enterprises, LTD 6358 Pinemont Drive Houston, TX 77092-3206

3M P.O.Box 200715 Dallas, TX 75320-0715

Altus Athletic/OK-1 Mfg. 709 Veterans PO Box 8388 Altus, OK 73522-8388

Bank of the West C/O David Elder Gardere Wynne Sewell LLP 1000 Louisiana, Suite 3400 Houston, Texas 77002-5011

Batterson, Inc. 955 Judiway Houston, Texas 77018-6201

Carlos Mejia c/o Kelly A Greenwood Engelhart & Greenwood 1300 McGowen Houston, TX 77004-1141

CenterPoint Energy PO Box 1325 Houston, TX 77251-1325 American Express Bank FSB c/o Becket and Lee LLP POB 3001 Malvern, PA 19355-0701

Harris County, et al Attn: John P. Dillman P.O. Box 3064 Houston, TX 77253-3064

Texas Comptroller Of Public Accounts Office Of The Attorney General Collections Division/Bankruptcy Section P O Box 12548, Capitol Station Austin, Tx 78711-2548

Work Zone Products, Inc. 6358 Pinemont Dr Houston, TX 77092-3206

3M c/o Receiveables Control Corp PO Box 9658 Minneapolis, MN 55440-9658

American Express
P.O. Box 630001
Dallas, TX 75363-0001

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Becket and Lee LLP PO Box 3001 Malvern, PA 19355-0701

Carrie Douglas, Esq Strasburger & Price, LLP 1401 McKinney St., Ste 2200 Houston, TX 77010-4041

CenterPoint Energy 5130770-0 PO Box 2628 Houston, TX 77252-2628 Bank of the West c/o David S. Elder Gardere Wynne Sewell LLP 1000 Louisiana, Suite 3400 Houston, TX 77002-5011 U.S.A.

South Coast Construction, Inc. c/o Fisher & Associates 1800 Two Houston Center 909 Fannin Houston, TX 77010-1014

The Frost National Bank 9821 Katy Freeway Suite 100 Houston, Tx 77024-1208

United States Bankruptcy Court PO Box 61010 Houston, TX 77208-1010

AB Gas Co. 4722 W 18th st Houston, TX 77092-8506

Aztec Rental 2001 W. 34th Street Houston, TX 77018-6187

Bartula Enterprises, Inc. 1051 Chesire Ln. Houston, Texas 77018-2027

Brennan & Clark Ltd. 721 E. Madison, Suite 200 Villa Park, IL 60181-3083

Caterpillar Financial Services Corp. 2120 West End Ave. Nashville, Tenn 37203-5341

City of Houston Water Dept PO Box 1560 Houston, TX 77251-1560

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Coface Collections North America, Inc. P.O. Box 8510 Metairie, LA 70011-8510

Dicke Tool Co. 36438 Treasury Center

Chicago IL. 60694-6400

Ennis Paint Co. P.O. Box 671185 Dallas, TX 75267-1185

Flint Trading, Inc. PO Box 160 Thomasville, NC 27361-0160

Grainger 8200 Pinemont Houston, TX 77040-6500

Harris County P.O. Box 4576 Houston, TX 77210-4576

INTERNAL REVENUE SERVICE P O BOX 145595 MC 8420G CINCINNATI, OH, 45250-5595

(p) INTERNAL REVENUE SERVICE CENTRALIZED INSOLVENCY OPERATIONS PO BOX 21126 PHILADELPHIA PA 19114-0326

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Laura Richardson 15 Garden Grove Drive Manvel. TX 77578-3298

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Donald C Young III, MD 427 W 20th Street, Suite 210 Houston, TX 77008-2400

Exxon PO box 530962 Alanta, GA 30353-0962

General Truck Body 7110 Jensen Dr. Houston, TX 77093-8703

Graphic Solutions Group PO Box 671261 Dallas, TX 75267-1261

Houston Alternator 1835 N. Shepherd Drive Houston, TX 77008-3687

IRS- Sp Proc Branch Bankruptcy Section, Mail Code 5022HOU 1919 Smith Street Houston, TX 77002-8049

Interstate All Battery Center 8350 Westheimer Houston, TX 77063-2718

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Laura Richardson Marilyn Allen, Atty Griffin & Matthews 1155 Dairy Ashford, S 300 Houston, TX 77079-3012

David Smith, Esc Attr for Frost Bank 4646 Wild Indigo, Suite 110 Houston, Texas 77027-7190

Energy Absorption Systems, Inc. 35 E Wacker Dr. Chicago, IL 60601-2314

Fatetteville Propane Company, Inc. PO Box 218 Fayetteville, TX 78940-0218

Gilliam's Grocery Charge Accounts 714 Gene Street Buffalo, TX 75831-7539

Gulf States Asphalt Company, L.P. 300 Christy Place P.O. Box 508 South Houston, TX 77587-0508

Houston Bag & Burlap Co 3709 Polk Street Houston, TX 77003-4839

Instacheck 616 N. Gray Street Killeen, TX 76541-4847

Jack F. Abercia, Constable Precinct Number One Harris County, Texas 1302 Preston, 3rd Floor Houston, TX 77002-2055

Langley & Banack, Inc. Attys Trinity Plaza II 745 East Mulberry, S 900 San Antonio, TX 78212-3141

MERIT FINANCIAL, INC 10590 WESTOFFICE DR SUITE 280 HOUSTON, TX 77042-5328

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Mark Rite Lines Equipment Co. 5379 Southgate Dr. PO Box 31154

Billings, MT 59107-1154

Martin Product Sales Attn Scott McPherson Three Riverway, Ste 400 Houston, TX 77056-1947

Martin Product Sales LLC P.O. Box 191 Kilgore, TX 75663-0191

Martin Product Sales, LLC Attn: Scott McPherson Three Riverway., Suite 400 Houston,. Texas 77056-1947

Mid-West Electric Co. 3828 Pinemont Houston, TX 77018-1299

Mikedon 9002 Wayfararer Ln. Box 750963 Houston, Texas 77075-3902

Munsch Hardt Kopf & Harr 3800 Lincoln Plaza 500 N Akard Street Dallas, TX 75201-3302

NEC Financial Services PO Box 100558 Pasadena, CA 91189-0003 Napa Auto Parts 5110 Antoine Drive Houston, TX 77092-3397

Naps Auto Parts 5110 Antoine Drive Houston, TX 77092-3397

National Signal Inc 2440 Artesia Ave Fillerton, CA 92833-2543 National Signal, Inc. 9603 John St. Santa Fe Springs, CA 90670-2905

Nick's Diesel Service Interstate Billing Service, Inc. Dept. 1 PO Box 2153 Birmingham, AL 35287-0002

Nut Place, Inc./The

6606 N. Gessner Houston, TX 77040-4016 713-462-3147

Nippon Carbide Industries, Inc. c/o David Mizgala Munsch Hardt Kopf & Harr, P.C. 500 N. Akard St. Suite 3800 Dallas, TX 75201-6659

O'Rourke Petroleum 223 McCarty Dr Houston, TX 77029-1137

Northwest Pipe Company 6307 Toledo Houston, TX 77008-6224

PLS Financial 300 N. Elizabeth 4E Chicago, IL 60607-1144

Pacesseter Personnel Service P.O. Box 684005 Houston, TX 77268-4005

Paul Bettencourt Tax Assessor-Collector P.O. Box 4622 Houston, TX 77210-4622

Paul Bettencourt Tax Assessor-Collector P.O. Box 7622 Houston, TX 77270-7622

Phoneline Technologies, Inc. 6820 N Eldridge #502 Houston, TX 77041

Pitney Bowes PO Boxx 856390 Louisville, KY 40285-6390 Pitney Bowes Inc 27 Waterview Dr Shelton CT 06484-4361

Potters Industries Inc. PO Box 840 Valley Forge, PA 19482-0840

Premium Assignment Corporation 3522 Thomasville Rd. Suit 400 Tallahassee, FL 32309-3488

Presco Products Co. P.O. Box 226467 Dallas, TX 75222-6467

Regions Interstate Billing Serv PO Box 2250 Decatur, AL 35609-2250

Regions Interstate Billing Service, Inc. PO Box 2250 Decatur, AL 35609-2250

STERLING BANK 10301 KATY FWY HOUSTON, TX 77024-1142

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Sean F. Greenwood Christian Smith & Jewell, LLP 2302 Fannin, Ste 500 Houston, TX 77002-9136

Shell Fleet
Processing Center
PO Box 689010
Des Moisnes, IA 50368-9010

Sherwin Williams 6501 Antoine Dr Houston, TX 77091-1203

Smith-RUbin & Associates PO Box 660579 Dallas, TX 75266-0579 Smith-Rubin & Associates P.O. box 639 Belle Chase, LA 70037-0639 South Coast Construction, Inc. c/o Fisher & Associates 909 Fannin, Suite 1800 Houston, Texas 77010-1016

Sprint PO Box 4181 Carol Stream, IL 60197-4181 Star Tex Propane, Inc. PO Box 1337 Waco, TX 76703-1337 Stasco 1140 Rothwell Houston, Texas 77002-1134

(p) TEXAS COMPTROLLER OF PUBLIC ACCOUNTS
REVENUE ACCOUNTING DIV - BANKRUPTCY SECTION
PO BOX 13528
AUSTIN TX 78711-3528

Stuart Allen & Associates, Inc. 5447 E 5th Street, Suite 110 Tucson, AZ 85711-2345

THE FROST NATIONAL BANK
P.O. BOX 1600
SAN ANTONIO, TX 78296-1600

Team Ford 9965 Highway 6 Navasota, TX 77868-5301 Ted L Walker
Atty for Sterling
402 Main Street, 9th Floor
Houston, TX 77002-1802

Ted L Walker, Esq The Walker Firm 402 Main, Penthouse Houston, TX 77002-1802

Texas Comptroller of Public Accts c/o Office of the Attorney General Bankruptcy-Collections Division PO Box 12548 Austin, TX 78711-2548 Texas Workforce Commission PO Box 684483 Austin, TX 78768-4483 The Childress Law Office 5100 Indian School Rd. NE Ste 28 Albuquerque, NM 87110-3932

The Frost National Bank Attn: Mr. Mark Davis, Senior VP 9821 Katy Freeway, Suite 100 Houston, TX 77024-1208 The Sherwin-Williams Company
Randall F Adair
Adair, Morris & Osborn, PC
325 N St Paul Street, Suite 4100
Dallas, TX 75201-3848

The Welscher Law Firm Attorneys at Law 1111 North Loop West Suite 702 Houston, TX 77008-4715

TimeWise Delivery 1425 Overhill Suite 110 Houston, Texas 77018-4112 Tommie Vaughn Ford 1145 N. Shepherd Houston, TX 77008-6594 Trafco Industries, Inc. 414 West Main Eagle Lake, TX 77434-2311

Traffic Supply 500 FM 3013 W. EAGLE LAKE, TX 77434 Trailer Wheel & Frame 8222 N. Freeway Houston, TX 77037-3699 Trantex 3310 Frick Road, Bldg. d Houston, TX 77086-2993

Triple O Enterprises c/o Patricia Oakes 6358 Pinemont Houston, TX 77092-3206 US Trustee Office of the US Trustee 515 Rusk Ave Ste 3516 Houston, TX 77002-2604 United Healthcare Insurance Company Credit & Delinquency Management 6NB-B 450 Columbus Blvd PO Box 150450 Hartford, CT 06115-0450

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United Rentals Highway Technologies 36353 Treasury Center Chicago, IL 60694-6300

W.W. Grainger Inc 7300 N Melvina Ave M240 Niles IL 60714-3998

Westside Automotive & Tire Service PO Box 41089 Houston, TX 77241-1089

Wright Express Financial Services Corporatio

Wolf Recovery Systems, Inc. P.O. Box 207

Baytown, TX 77522-0207

Work Zone Products, Inc 6358 Pinemont Dr Houston, Texas 77092-3206

c/o James Nace Hull Hull & Associates, P.C.

6200 Savoy #440 Houston, Texas 77036-3324

Carlos Salvador Mejia Sr. 1415 Conrad Sauer Drive Houston, TX 77043-4310

Gilbert Sunny Mejia 1415 Conrad Sauer Drive Houston, TX 77043-4310

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Peter Johnson Law Offices of Peter Johnson Suite 2820 Eleven Greenway Plaza

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Peter Johnson Summit Tower 11 Greenway Plaza Suite 2820 Houston, TX 77046-1114

Wendy Melissa Mejia 1415 Conrad Sauer Drive

Houston, TX 77043-4310

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Internal Revenue Service P.O. Box 21126 Philadelphia, PA 19114

State of Texas Comptroller of Public Accounts Revenue of Accounting Division P.O. Box 13528 Austin, TX 78711

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d) American Express Bank FSB c/o Becket and Lee LLP POB 3001 Malvern PA 19355-0701

(u) Ennis Paint

(u) Harris County

(d) Harris County, et al Attn: John P. Dillman P.O. Box 3064 Houston, TX 77253-3064

(d) Houston Bag & Burlap Company 3709 Polk Street Houston, TX 77003-4839

(u) Nipon Carbide

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Bypassed recipients 6
Total 138